

(See [Fed. R. Civ. P. 83](#))

LR 83-1 Attorney Admissions - Generally

(a) Limitations on Practice (See [LR 83-2](#) to [LR 83-5](#))

Only attorneys generally or specially admitted pursuant to this rule may practice in the district and bankruptcy courts of the District of Oregon.

(b) Application Forms (See Membership Application forms)

An applicant must submit an application for general or special admission in the format provided by the Clerk's office.

(c) Payment of Fees

Attorney admission fees must be paid at the time the application for general or special admission is filed with the Clerk.

(d) Sanctions for Unauthorized Practice

Any person who exercises any of the privileges of a member of the bar of this Court without being entitled to do so, will be guilty of contempt.

(e) CM/ECF Registration (See [LR 100-2](#))

(1) Attorneys admitted to practice pursuant to LR 83 are required to complete and deliver to the Clerk's office, the CM/ECF Attorney Registration form found at <http://www.ord.uscourts.gov/attorney-admissions/attorney-admissions>

(2) Attorneys must apply to the assigned judge on a case-by-case basis for exemption from CM/ECF Registration.

LR 83-2 Admission to General Practice

Admission to general practice, and continuing membership in the bar of this Court, is limited to attorneys of good moral character who are active members in good standing with the Oregon State Bar.

LR 83-3 Special Admissions - *Pro Hac Vice*

(a) Application for Special Admission *Pro Hac Vice* (See Application for Special Admission - *Pro Hac Vice*)

Any attorney who is an active member in good standing of the bar of any United States court, or the highest court of any state, territory, or insular possession of the United States, may apply to be specially admitted *pro hac vice* in a particular case, provided he or she:

(1) Associates with an attorney admitted to general practice before the bar of this Court, who will meaningfully participate in the preparation and trial of the case. (See [LR 83-2](#) and [LR 83-4](#)).

(2) Pays the admissions fee and files a *pro hac vice* admission application in every case in which the attorney seeks to be specially admitted.

(3) Certifies professional liability insurance, or an equivalent financial responsibility, will apply and remain in force for the duration of the case, including any appeal proceedings.

(b) Motion to Waive Special Admissions Fee

For good cause shown, any attorney may move to have the Court waive the special admission fee in a particular case.

(c) Order Granting Special Admission

The assigned judge will review and rule upon the application for special admission.

(d) Scheduling Court Proceedings

Unless otherwise directed by the assigned judge, the Clerk's office will coordinate and schedule all calendaring actions, telephone conferences, and other court proceedings through local counsel.

(e) Notice to *Pro Hac Vice* Counsel

(1) *Pro Hac Vice* Counsel Registered with the CM/ECF System: *Pro hac vice* counsel registered with the CM/ECF system pursuant to LR 83-1(e) will receive electronic notice pursuant to

[R 100-8](#)

[L](#)

(2) *Pro Hac Vice* Counsel Exempt from CM/ECF Registration: Unless otherwise directed by the assigned judge, the Clerk's office will mail copies of notices, schedules, orders, and other court communications only to the associated local counsel. Associated local counsel will be responsible for distributing and coordinating the information with the *pro hac vice* attorney.

LR 83-4 Special Admissions - Government Attorneys

Attorneys who represent the United States, Indian treaty tribes, a state, or any agency of these sovereigns, may appear in a case without having to comply with LR 83-1(c) and LR 83-2.

LR 83-5 Special Admissions - Certified Law Students

(a) Eligibility

An "eligible" law student is a law student meeting all the requirements of Rule 13.20 of Rules for Admission of Attorneys of the Supreme Court of the State of Oregon ("Oregon Rules").

(b) Certification

A law school dean must make the certification described in Oregon Rules 13.20 and 13.25 by

filing with the Clerk a copy of the certification filed with the State Court Administrator. The dean may withdraw the certification and this Court may terminate the certification as provided in Oregon Rule 13.25. The certification must otherwise remain in effect for the period described in Oregon Rule 13.25(1).

(c) Supervising Counsel

(1) In all cases, there must be a supervising attorney who is a member of the bar of this Court and attorney of record on behalf of the client on whose behalf the law student is appearing. No law student may appear until the client, the supervising attorney and the judge of this Court before whom the appearance is to be made have consented to such an appearance.

(2) The supervising attorney is responsible for explaining to the client the nature and extent of the law student's participation, and for obtaining the client's consent to such participation. The client's consent must be in writing, filed with the Clerk, and become part of the record of the case. Consent by the United States Attorney for the District of Oregon will constitute consent by the United States.

(3) The supervising attorney must be present at all times when the law student appears before the Court. The member of the bar of this Court under whose supervision an eligible law student does any of the things permitted by these rules must assume responsibility for the student's guidance in any work undertaken and for supervising the quality of the student's work.

LR 83-6 Suspension or Disbarment

(a) Duty of Counsel to Notify Court

Every attorney admitted to general or special practice before this Court has an affirmative duty to notify the Chief Judge and the assigned judge in writing within fourteen (14) days after they have:

(1) Been suspended or disbarred from practice by any court.

(2) Been convicted of a felony in either a state or federal court.

(3) Resigned from the bar of any court while an investigation was pending into allegations of misconduct which would warrant suspension or disbarment.

(4) Been notified of a change in their admissions status in any other jurisdiction which would affect their eligibility for general or special admission to the bar of this Court.

(b) Order to Show Cause

(1) Upon receipt of a notice pursuant to LR 83-6(a), or upon notice or information that an LR 83-6 violation may have occurred, the Court may direct the Clerk to issue an order to show cause why disciplinary action including suspension, disbarment, or other appropriate disciplinary action) should not be taken against the attorney.

(2) The Clerk will mail the order to the last known address of the attorney and the Oregon State Bar's Discipline Committee.

(3) The attorney must file a response to the order within twenty-one (21) days from the date of the order, showing good cause why he or she should not be subject to disciplinary action. If requested, the responding attorney may ask that a hearing be held on the matter. If a hearing is requested, the Chief Judge may appoint a judge or special master to preside over the hearing.

(4) At the conclusion of any hearing, or within twenty-one (21) days if no response is filed by the attorney, the presiding judge or master will enter a final order. A copy of the order will be mailed to the attorney and the Oregon State Bar's Discipline Committee.

(c) Reinstatement Following State Bar Disciplinary Action

Attorneys who have applied for reinstatement to The Oregon State Bar (pursuant to Title 8 of The Oregon State Bar's Rules of Procedure) must also separately apply for reinstatement to the bar of this Court after being reinstated by the Oregon Supreme Court. Applications for

reinstatement before this Court must be filed with the Clerk using the same forms required by The Oregon State Bar and the applicant must pay the appropriate fee.

LR 83-7 Standards of Professional Conduct

Every attorney admitted to general or special practice and every law student appearing pursuant LR 83-5 must:

(a) Be familiar and comply with the standards of professional conduct required of members of the Oregon State Bar and this Court's Statement of Professionalism. (See Statement of Professionalism form.)

(b) Maintain the respect due to courts of justice and judges.

(c) Perform with honesty, care, and decorum required for the fair and efficient administration of justice.

(d) Discharge the obligations owed to his or her clients and to the Court, and assist those in need of counsel when requested by the Court.

LR 83-8 Cooperation Among Counsel

(a) Counsel must cooperate with each other, consistent with the interests of their clients, in all phases of the litigation process and be courteous in their dealings with each other, including matters relating to scheduling and timing of various discovery procedures.

(b) The Court may impose sanctions if it finds that counsel has been unreasonable in not accommodating the legitimate requests of opposing counsel. In a case where an award of attorney fees is applicable, the Court may take a lack of cooperation into consideration in setting the fee.

LR 83-9 Appearances by an Attorney

(a) Appearance by Filing

The filing of any document constitutes an appearance by the attorney who signs the document.

Practice Tip

In order to be added to the case docket as attorney of record for notification purposes, each registrant must file a document.

(b) Appearance by Represented Parties Through Counsel

A party represented by an attorney cannot appear or act except through the attorney. Unless otherwise specifically provided by law or Court order, a corporation may appear or act only through an attorney.

LR 83-10 Notification of Change of Address or Affiliation

(a) Current Address Information

Every attorney admitted to general or special practice, and every unrepresented party, has a continuing responsibility to notify the Clerk's office whenever their mailing address, telephone number, and/or business e-mail address changes. Commensurate with filing the notice to the Court, the attorney must update his/her CM/ECF User Account.

(b) Notice of Change of Mailing and/or Business E-Mail Address

Notice of a change of mailing and/or business e-mail address must be filed in pleading form and served on all parties to any pending action, or case on appeal.

LR 83-11 Withdrawal From a Case

(a) Withdrawal - Court Approval Required

An attorney may withdraw as counsel of record only with leave of Court, except as provided in subsections (b) and (c). A motion must be filed and served on the client and opposing counsel, and if appearing *pro hac vice*, on local counsel. The motion will be heard on an expedited basis.

(b) Withdrawal - When Co-Counsel Exists

A notice of withdrawal of attorney may be filed by a withdrawing attorney or by a member of the withdrawing attorney's law firm or former law firm, if a member of the withdrawing attorney's law firm or former law firm remains as counsel of record for the party.

(c) Withdrawal by Counsel Appearing *Pro Hac Vice*:

Counsel appearing *pro hac vice* may withdraw as counsel of record only with leave of Court as provided in subsection (a). In addition, counsel appearing *pro hac vice*

must notify local counsel of the intent to withdraw and must ascertain whether local counsel objects to such withdrawal. The motion required by subsection (a) must be served on local counsel and must inform the Court of local's counsel's position regarding the motion.

(d) Death, Removal, Suspension, or Inaction of Attorney:

When an attorney dies, is removed or suspended, or ceases to act, the party, unless already represented by another attorney, must designate a new attorney or appear in person before further proceedings occur.

LR 83-12 Undeliverable Mail (See [LR 100-8](#))

When the Court sends mail to the last known address of an attorney of record or unrepresented party, and the postal service returns the mail as undeliverable because the attorney or party has failed to notify the Clerk of a changed address, and the failure to notify the Clerk of the change of an address continues for sixty (60) days, then the Court may strike appropriate pleadings, enter a default, or dismiss the action.

LR 83-13 Reminders to the Court

(a) Matters Under Advisement

If any matter, including a motion or a decision in a bench trial, is under advisement more than sixty (60) days, each affected party must send the assigned judge a letter describing the matter and stating when it was taken under advisement. Every forty-five (45) days thereafter, while the

matter remains under advisement, each affected party must send a similar letter to the Chief Judge.

(b) Failure to Schedule a Preliminary Pretrial Conference

Unless a trial date has already been set, if the assigned judge fails to schedule a preliminary pretrial conference within fourteen (14) days after the lodging of the pretrial order or order waiving the pretrial order, each affected party must send the assigned judge a letter advising that no conference has been set.

LR 83-14 Wireless Communication Devices

(a) Definition

For purposes of this rule, wireless communication devices include (but are not limited to) cellular telephones, pagers, laptop computers, iPods or MP3 players, and personal digital assistants (PDA's).

(b) Limitations on Use

Except as authorized by a judge, wireless communication devices will be turned off while in a courtroom. They may be turned on when not in a courtroom but must not record, receive, or transmit video images, pictures, signals, or movies at any time when inside the courthouse.

(c) Exceptions

(1) Cameras and other recording devices are allowed during naturalization ceremonies, investitures, and other Court approved ceremonial and educational programs.

(2) Trial jurors must turn their wireless communication devices over to the courtroom deputy Clerk during deliberation.

(d) Laptop Computers

Laptop computers may be brought into the courthouse and, if authorized by the Court, may be used during Court proceedings.

LR 83-15 Certifying a Question to the Oregon Supreme Court (See ORS § 28-200-255)

(a) Criteria

For purposes of this rule, the Court will be guided by the certification criteria set forth in *Western Helicopter Services, Inc., v. Rogerson Aircraft Corporation*, 311 Or. 361, 811 P.2d 627 (1991).

(b) Procedural Requirements

(1) Party Responsibilities: Any party seeking to have this Court certify a question of law to the Oregon Supreme Court must file and serve a motion with a supporting memorandum that complies with the requirements of LR 83-15(a).

(2) Court Responsibilities

(A) Assigned Judge: If the assigned trial judge (district, bankruptcy, or magistrate judge) believes that certification of a question to the Oregon Supreme Court is appropriate, he or she will refer that recommendation to the Chief Judge.

(B) Chief Judge Responsibility: Upon receipt of the recommendation, the Chief Judge will confer with other members of the Court. If the Court concurs, the Chief Judge will certify the question to the Oregon Supreme Court.

Amendment History to LR 83

September 23, 1999

LR 83.2 Amended to eliminate the trial certification requirements of the previous rule

June 1, 2000

LR 83.16 This rule establishes corporate disclosure statements similar to those requiring

June 1, 2002

LR 83.1(b) Reference to the Court's website deleted.

LR 83.1(e) New Rule: CM/ECF registration requirements added.

LR 83.3(d) Title amended to "Scheduling Court Proceedings".

Subsection (2) deleted.

LR 83.3(e) New Rule.

LR 83.4 Reference to LR 83.1(c) added.

LR 83.6 "... by any court." added.

LR 83.10(a) and (b) Amended to include business e-mail address.

LR 83.12 Cross-reference to LR 100.13 added.

June 1, 2006

Generally Cross references updated.

Appendix of Forms numbers updated.

Updated website addresses.

LR 83.1(e)(2) New Rule.

LR 83.3(a) The words "the attorney" substituted for "they" at (2).

The word "including" substituted for the words "to include" at (3)

LR 83.3(e) The first sentence divided into two sentences.

The words "Associated local counsel" added to and the words "in turn" stricken from the new second sentence

LR 83.5(c)(1) The word "is" substituted for the word "must"

LR 83.6 The word "the" added at (a)

The word "including" substituted for "to include" at (b)(1)

LR 83.6(c) New Rule.

LR 83.7(a) The words "...and this Court" added.

LR 83.8 The word "the" stricken at (a).

LR 83.9 Practice Tip added at (a).

The sentence beginning "Unless otherwise specifically..." added at (b).

LR 83.10(a) Added requirement to maintain CM/ECF user account.

LR 83.11 Made a distinction between withdrawal of a single attorney and those parties

Subsequent sections re-lettered.

The word "any" stricken in first sentence of new (c).

LR 83.13(a) The words "Chief Judge" substituted for "chair of the Calendar Management

LR 83.14 (a)(b)(c) Title changed and sections modified pursuant to Standing Order 06-mc-9112

LR 83.15(a) The word "Criterion" changed to "Criteria" throughout.

LR 83.15(b)(1)(A) Text of this section merged into LR 83.15(b)(1).

LR 83.15(b)(1)(B) Rule deleted.

LR 83.16 Rule deleted as now addressed in Fed. R. Civ. P. 7.1.

December 1, 2009

Generally References to Appendix of Forms deleted.

- LR 83-3(a) Changed "they" to "he" or she."
- LR 83-6(a) Changed ten (10) days to fourteen (14) days.
- LR 83-6(b)(3) and (4) Changed twenty (20) days to twenty-one (21) days.
- LR 83-11(a) Added "except as provided in subsection (b)." and deleted ", if so doing so le
- LR 83-11(b) Changed "the withdrawing" to "a withdrawing."
- Added phrase "by a member of the withdrawing attorney's law firm or former law firm, if a member of the
- Changed "co-counsel" to "counsel of record."
- LR 83-11(c) Added subsection (c) governing withdrawal by counsel appearing
- LR 83-13(b) Changed "within ten (10) days of" to "within fourteen (14) days after."
- LR 83-14(b) Changed the sentence, "They may be turned on when not in a courtroom, ho
- LR 83-14(c) Changed typographical error from ceremonices" to "ceremonies."